

Comments to Proposed Rulemaking

Today's date: April 1, 2010

WP Docket No 10-72

I. Introduction

1. In these comments to Proposed Rulemaking, we will address our support of Amendment of Part 97 of the Commission's Rules regarding amateur radio service communications during both government and private sector disaster drills. Our comments will support the Commission's amendment to the Rules that would provide that, under certain limited conditions, amateur radio operators may transmit messages during emergency and disaster preparedness drills, regardless of whether the operators are employed by entities participating in the drill.

II. Background of Filer - Gordon West, WB6NOA

2. I am an Extra Class amateur radio licensee, first licensed as Novice Class, in the late 1950's. For the last 30 years, we have operated Gordon West Radio School, Inc., producing training books, audio courses, computer courses, and live classroom equipment demonstrations.

I am active on the airwaves daily, conducting an emergency preparation net each morning on 40 meters. We currently offer free amateur radio training class, emphasizing amateur radio for disaster preparedness. Many of our classes are for paid and volunteer emergency specialists.

I was also one of the first petitioners to encourage the Federal Communications Commission to re-evaluate decisions related to Part 97.113, prohibited transmissions.

My comments stem from regular participation with our local city RACES unit, participation through the American Red Cross Communications volunteers, training with a city response team, on-the-air communications over maritime mobile high frequency emergency nets, and actual communications support during local emergency events.

My comments are also based on the numerous correspondence items I have received from magazine editorials on this very sensitive subject.

III. Discussion

1. I support your discussion item 5, "...amend the rules to permit amateur radio operators to participate in government-sponsored emergency and disaster preparation drills..."

Volunteer hams participate regularly with local government agencies, for the express purpose of serving our communities. Those government agencies likely have a ham on staff who knows the value of volunteer emergency communicators. Without that embedded staff ham person, our volunteer service could go unrecognized. Further, by denying that on-staff government employee the ability to exercise his or her amateur radio privileges causes that agency to possibly distance itself from the amateur radio service and all that we may offer to the public.

2. We agree with your item 6, that allowing paid staff participation in amateur radio drills will not disturb the core principle of the amateur service. A very few amateur operators may argue that these agencies

"might take over" the ham service to use it for their pecuniary interest, but I would disagree - these agencies have far superior digital radio communications than simply ham radio, and ham radio would likely be their last choice to carry on any in-house pecuniary interest radio traffic.

3. I also agree with your number 6 assessment that emergency drills would be limited to the duration and scope of the drill, test or exercise being conducted, and operational testing immediately prior to the drill, test or exercise. This would eliminate, and make illegal, any agency using amateur radio on a regular basis where other communication services could be available to them.

4. Your item number 7 raises the apt question on whether or not the public would be served by allowing NON-GOVERNMENT employees, as licensed hams, to operate amateur stations during emergency drills, nets, and training exercises. I believe it would be in the public interest that both government AND private/commercial organizations be allowed to let their employed hams practice in disaster preparation nets and drills.

5. Paid staff, who are currently licensed amateur radio operators, should be permitted to take part in disaster preparedness nets and drills, working with their volunteers and other agencies in the field. This may include the following employed ham operator functions within non-government agencies:

Health and Safety Manager, American Red Cross

Disaster Specialist, a paid ham working with the Salvation Army

Employed Safety Ride Inspector at theme parks throughout the country

Paid hams who provide local college EMT training

Paid ham lab workers at a disease -control laboratory
Paid ham staff operating a pet rescue non-profit agency
Private ham consultants to FEMA
Ham office building emergency trainer
Licensed amateur operator train engineer
Staff hams associated with private security agencies
Nuclear power plant emergency manager
Ham operator land-mobile repeater technician
Captain, ham paid staff Ski Patrol
Licensed ham resort lifeguard trainer
Resort hotel's emergency management staff
Ham operator, heavy equipment driver
Ham Rangers with an Island Conservancy
Pilots, Doctors and Nurses who are ham operators
Paid staff ham operator weather forecaster local TV channel
Ham staff contractor for highway safety service
Hams on-staff at power and water districts
Hams who drive private school buses

6. It would be difficult and time-consuming to devise rules just for government employees, and different rules for private sector employees, who might work closely with them. If the Commission were to allow all licensed amateur operators involved in emergency communications to ultimately serve the public, and provide for communications training within their own facility, I believe this would be an appropriate use for our amateur radio service.

Again, the argument that paid staff hams could begin to profit their employers by providing radio communications of a pecuniary interest, would still continue to be illegal, except for your specific definition of bonafide emergency and disaster preparation drills and training exercises.

7. Allowing both government and private sector paid staff to participate in amateur radio emergency preparation drills and nets may increase ham radio recruitment. This can be evidenced by the fact that over the last 6 months, we have seen a sharp decline in our free classes offered to both paid and non-paid citizens wishing to obtain the amateur radio license. We see that the amateur radio service could grow as more government and non-government paid staff members begin to encourage ham radio participation in disaster preparedness. This ultimately serves the safety of their own employees, as well as the general public.

8. One of our fundamental purposes in the amateur radio service is providing emergency communications. We can only become effective communicators if we regularly participate in training drills and nets. Our emergency communications training offers no division between government employees or the private theme park emergency manager who may work for Disneyland.

IV. Summary

A suggested re-wording of your Proposed 97.113 (3)(i) "A control station operator may participate on behalf of an employer for emergency preparedness or disaster readiness in tests or drills, limited to the duration

and scope of such tests or drills, and operational testing immediately prior to such tests or drills."

Respectfully submitted,
Gordon West, WB6NOA